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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,727	05/25/2001	Kentoku Yamaguchi	04329.2571	3367

22852 7590 04/07/2006

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EXAMINER

SHARMA, SUJATHA R

ART UNIT PAPER NUMBER

2618

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/856,727	<b>Applicant(s)</b> YAMAGUCHI, KENTOKU	
	<b>Examiner</b> Sujatha Sharma	<b>Art Unit</b> 2684	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 2/1/06 have been fully considered but they are not persuasive.
2. The applicant argues (page 12, paragraphs 1,2; page 14, paragraphs 3,4) that Widegren and Robinson fail to teach or suggest at least **"informing means for informing an operator at the terminal of information transmitted to and received from the first communication entity and the second communication entity over the first and second radio channels simultaneously,"**

The examiner respectfully disagrees. The examiner would like to draw the applicant's attention to Robinson reference Fig. 3, page 5, lines 21-27. Giving a broad interpretation of the claim language, it is noted that the Robinson reference teaches a method of informing an operator at the terminal of information related to video and also text such as SMS via the display unit and information related to voice/audio via the speaker.

Further, the reference inherently discloses a structure (see Fig. 3) that permit the functionality claimed to be performed i.e. informing an operator at the terminal of information transmitted to and received from the first communication entity and the second communication entity over the first and second radio channels simultaneously.

Therefore the rejection of the claims 1.3-8.10.11 and 14-16 discussed in the office action mailed 10/7/05 and as submitted below is considered proper.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,3,4,6-8,10,14,16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren [US 6,374,112] in view of Robinson [GB 2 311 910 A].

Regarding claims 1,8,14,16-18 Widegren discloses a method of providing access to different radio communication services for a radio communication device. Widegren further discloses a radio communication terminal connected with a base station over radio channels for making communications with the base station comprising:

- First communication means for establishing first radio channels with the base station and making communications over the first radio channel; See summary and col. 2, line 64 – col. 4, line 16, col. 9, lines33-40 ; where a communication channel is established for example for voice communications
- second communication means for establishing a second radio channel with the base station and making communications over the second radio channel simultaneously with the first communication means; See summary and col. 2, line 64 – col. 4, line 16, col. 9, lines33-40 where more than one bearer/channel is assigned to user based on the requested service;

Art Unit: 2684

However, Widegren does not specifically disclose a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel.

Robinson, in the same field of endeavor, teaches a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel. See Fig. 3 and page 5, lines 21-27.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Robinson to Widegren in order to allow the user to monitor the desired quality of service.

Regarding claims 3,10 Widegren further discloses a radio communication terminal wherein the communication means has means for making at least voice data communication, video data communication, and message data communication. See summary of invention and col. 9, lines 33-40.

Regarding claim 4, Robinson further discloses a radio communication terminal wherein the informing means has display means that allows visual display. See Figs. 3,4 and page 5, lines 21-27.

Regarding claims 6, Widegren discloses a radio communication terminal connected with a base station over radio channels for making communications with the base station comprising:

Art Unit: 2684

- First communication means for establishing first radio channels with the base station and making communications over the first radio channel; See summary and col. 2, line 64 – col. 4, line 16, col. 9, lines 33-40 ; where a communication channel is established for example for voice communications
- second communication means for establishing a second radio channel with the base station and making communications over the second radio channel simultaneously with the first communication means; See summary and col. 2, line 64 – col. 4, line 16, col. 9, lines 33-40 where more than one bearer/channel is assigned to user based on the requested service;

However, Widegren does not specifically disclose a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel.

Robinson, in the same field of endeavor, teaches a method of informing an operator at the terminal of information transmitted to and received from the base station over the multiple channels for each radio channel. See Fig. 3 and page 5, lines 21-27.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teaching of Robinson to Widegren in order to allow the user to monitor the desired quality of service.

Regarding claim 7, Widegren further discloses a radio communication terminal wherein the communication means has means for making at least voice data communication, video data

Art Unit: 2684

communication, and message data communication. See summary of invention and col. 9, lines 33-40.

3. Claims 5,11,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren [US 6,374,112] and Robinson [GB 2 311 910 A] in view of Smirnov [US 6,704,813].

Regarding claims 5,11,15 Widegren As modified by Robinson discloses all the limitations as claimed.

However he does not disclose the radio communication terminal further comprising storage means for storing information utilized when radio communications are made, and wherein the informing means has means informing the operator of the information transmitted to and received from the base station and the information read from the storage means.

Smirnov, in the same field of endeavor, teaches the use of a radio communication terminal further comprising storage means for storing information utilized when radio communications are made, and wherein the informing means has means informing the operator of the information transmitted to and received from the base station and the information read from the storage means. See col. 3, lines 25-30; col. 4, lines 50-59; col. 5, lines 9-16 and 31-42; col. 6, line 65 - col. 7, line 16; col. 7, line 60 – col. 8, line 15.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Smirnov to Robinson in order to facilitate the user to store the streaming information for later viewing at the convenience of the user.

Art Unit: 2684

4. Claims 17,19,20,21,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren [US 6,374,112] in view of Robinson [GB 2 311 910 A] and further in view of Uehara [JP 11146370].

Regarding claims 17,19,20,21,23, Widegren and Robinson as treated in claims 1,6,8,14,16 disclose all the limitations as claimed.

However, they fail to disclose a method wherein the informing means includes a first display section which displays a picture concerning the first communication entity received by the first communication means, and a second display section which displays a picture concerning an operator at the terminal transmitted by the first communication means.

Uehara, in the same field of endeavor, teaches a portable video telephone system. He further discloses a method wherein the informing means includes a first display section which displays a picture concerning the first communication entity received by the first communication means, and a second display section which displays a picture concerning an operator at the terminal transmitted by the first communication means. See abstract and Fig. 1.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Uehara to Widegren and Robinson in order to improve the operability of the video telephone set and to allow the video telephone set to cope with multi-point conversation.

5. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren [US 6,374,112] and Robinson [GB 2 311 910 A] in view of Smirnov [US 6,704,813] and further in view of Uehara [JP 11146370].



Regarding claim 22, Widegren as treated in claim 15 disclose all the limitations as claimed.

However, they fail to disclose a method wherein the informing means includes a first display section which displays a picture concerning the first communication entity received by the first communication means, and a second display section which displays a picture concerning an operator at the terminal transmitted by the first communication means.

Uehara, in the same field of endeavor, teaches a portable video telephone system. He further discloses a method wherein the informing means includes a first display section which displays a picture concerning the first communication entity received by the first communication means, and a second display section which displays a picture concerning an operator at the terminal transmitted by the first communication means. See abstract and Fig. 1.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Uehara to modified Widegren in order to improve the operability of the video telephone set and to allow the video telephone set to cope with multi-point conversation.

6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Widegren [US 6,374,112] and Robinson [GB 2 311 910 A] in view of Uehara [JP 11146370] and further in view of Gitlin [US 5,159,445]

Regarding claim 18, Widegren and Robinson as treated in claims 17 disclose all the limitations as claimed. However, they fail to disclose a method wherein the informing means includes a third display section which displays a message from the second communication entity

Art Unit: 2684

received by the second communication means while the communications are made by the first communication means.

Gitlin, in the same field of endeavor, teaches a method of displaying video images along with text images during video teleconferencing. See col. 1, lines 14-24.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Gitlin to modified Widegren in order to improve the operability of the video telephone set and to allow the video telephone set to cope with multi-point conversation.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Saxena [US 6,259,449]	Integrated communication center
Kies [US 2006/0055771]	System and method for optimizing audio and video data transmission in a wireless system
Hoffman [US 2002/0102947]	Cell-phone handset combination unit
Haruki [US 2004/0189791]	Videophone device and data transmitting/receiving method applied thereto
Ando [US 2001/0008412]	Visual telephone unit and visual telephone system therewith
Kim [US 2005/0140778]	Mobile communication device with enhanced image communication capability

Art Unit: 2684

Yoshimura [US 2006/0050141]      Communication terminal apparatus, television telephone control method and television telephone control program

Chim [US 6,275,258]                      Voice responsive image tracking system

Richter [US 6,738,357]                  Method and apparatus for multiple media digital communication system

Ohtsuka [US 4,943,994]                Still picture picturephone communication system

Uehara [JP 11146370]                  Portable video telephone system

Moriwa [JP 2004-120344]              Communication terminal equipment and method therefor

8.      **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

Art Unit: 2684

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sujatha Sharma  
4/3/06

  
Matthew Anderson  
SPE 2618